

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

HINDS COUNTY, MISSISSIPPI, on behalf of  
itself and all other similarly situated entities,

V.

WACHOVIA BANK, N.A., et al.

SUMMONS IN A CIVIL ACTION

CASE NUMBER:

08 CV 2516

TO: (Name and address of Defendant)

CAIN BROTHERS & CO., LLC  
360 Madison Avenue, 5th Floor  
New York, NY 10017

*Thett Thuman*  
*[Signature]*

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

SERCARZ & RIOPELLE, LLP  
152 W. 57TH STREET  
NEW YORK, NY 10019

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

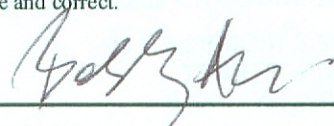
*J. McMahon*

DATE

MAR 13 2008

(By) DEPUTY CLERK

AO 440 (Rev. DC - September 2003) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE	March 24, 2008 11:12 a.m.
NAME OF SERVER (PRINT) Bobby Ali #871612	TITLE	Private Process Server
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____ _____		
<input checked="" type="checkbox"/> Other (specify): <u>by serving Rhett Thuman, CFO, authorized to accept. Service was completed at 360 Madison Avenue, New York, NY 10017</u>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="width: 30%;"> <p>Executed on <u>3-25-08</u></p> <p style="text-align: center;">Date</p> </div> <div style="width: 60%;"> <p style="text-align: center;">             _____            Signature of Server         </p> <p style="text-align: center; color: red;">             Capitol Process Services, Inc.              1827 18th Street, NW              Washington, DC 20009           </p> <p style="text-align: center;">           _____            Address of Server         </p> </div> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
HINDS COUNTY, MISSISSIPPI, on behalf  
of itself and all other similarly situated  
entities,

Plaintiff(s),

CASE NO. 08 CV 2516

-against-

**AFFIDAVIT OF SERVICE**

WACHOVIA BANK, N.A., **ET AL.**,  
Defendant(s).

-----X  
STATE OF NEW YORK )  
s.s :  
COUNTY OF NEW YORK )

BOBBY ALI, being duly sworn, deposes and says that he is an agent of CAPITOL  
PROCESS SERVICES, INC., is over the age of eighteen years and is not a party to the action.

That on the 24th day of March, 2008, at approximately 11:12 a.m., deponent served a true  
copy of the **SUMMONS IN A CIVIL ACTION and CLASS ACTION COMPLAINT** upon  
Cain Brothers & Co., LLC at 360 Madison Avenue, New York, New York by personally  
delivering and leaving the same with Rhett Thuman, Chief Financial Officer, who is authorized  
by law to accept service.

Rhett Thuman is a white male, approximately 44 years of age, is approximately 6 feet  
and 2 inches tall, weighs approximately 195 pounds, with short brown hair and dark eyes.

Sworn to before me this  
24th day of March, 2008

  
BOBBY ALI #871612

**Capitol Process Services, Inc.**

1827 18th Street, N.W.  
Washington, D.C. 20009  
(202) 667-0050

  
MICHAEL J. KEATING  
NOTARY PUBLIC, STATE OF NEW YORK  
Reg. No. 01-KE-4851559  
Qualified in New York County  
Commission expires February 3, 2010